IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE**

**and**
**THE HON'BLE SRI JUSTICE M.NARAYANA REDDY**

**WRIT PETITION No. 1099 of 2005**

Between:

G.Chiranjeevi Seshagiri Rao, S/o.Seetha Ramaiah,
C/o.Sri G.M.Rao, H.No.17-1-31,
Kanyakaparameswari Street, Ongole, Prakasam District.

**..... PETITIONER**

AND

1. The State Bank of India, rep. by its Chief Manager, Commercial Branch, Ongole, Prakasam District.
2. The Registrar, Debt Recovery Tribunal, Visakhapatnam.
3. The Registrar, Debts Recovery Appellate Tribunal at Chennai.
4. M/s.Dattasayi Industries Limited, rep. by its Managing Director Sri G.Seetha Ramaiah, S/o.Seshaiah, R/o.17-1-12,
Kanyakaparmeswari, Street, Ongole, Prakasam District.
5. G.Seetha Ramaiah, S/o.Seshaiah,
R/o.H.No.17-1-12, Kanyakaparameswari Street,
Ongole, Prakasam District.
6. G.Krishna Murthy, S/o.Seshaiah,
R/o.H.No.17-1-14, Kanyakaparameswari Street,
Ongole, Prakasam District.
7. G.Sridhar Babu, S/o.G.Krishna Murthy,
R/o.H.No.17-1-14, Kanyakaparameswari Street, Ongole, Prakasam District.
8. Smt. G.Lakshmi Kumari, W/o.Seetha Ramaiah,
R/o.17-1-12, Kanyakaparameswari Street, Ongole,
Prakasam District.
9. Smt. G.Radha Devi, W/o.G.Krishna Murthy,
R/o.H.No.17-1-14, Kanyakaparameswari Street, Ongole, Prakasam District.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any appropriate writ, order or direction preferably a writ in the nature of Writ of Certiorari calling for the records relating to order dt.9-12-2004 made in M.A.No.104 of 2004 on the file of the 3rd respondent and to quash the same as being illegal, arbitrary and violative of Articles 14 and 300-A of the Constitution of India, and consequently stay all further proceedings including trial of O.A.No.209 of 2002 on the file of the 2nd respondent.

Counsel for the Petitioner: Mr. P.VENUGOPAL

Counsel for Respondent No.1: Mr. DEEPAK BHATTACHARJEE

**Counsel for Respondents 2 to 9: None appeared.**

**The Court made the following :**

**ORAL ORDER:**

(per Honourable Sri Devinder Gupta, the Chief Justice)

There is hardly any ground to interfere with the orders passed by the authorities. Petitioner is neither a creditor nor a debtor and cannot seek impleadment as a party in the proceedings taken out by the Bank against the debtors for the recovery of the amount due and payable to the Bank. In such proceedings, petitioner will have no interest. In case, petitioner has got any apprehension that his property is likely to be sold in auction, the petitioner can protect his rights at that stage by taking out appropriate proceedings. The Writ Petition, therefore, is dismissed. No costs.

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DEVINDER GUPTA, C.J.

7.2.2005.

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M.NARAYANA REDDY, J.

VR.

To

1. The Chief Manager, State Bank of India, Commercial Branch, Ongole, Prakasam District.
2. The Registrar, Debt Recovery Tribunal, Visakhapatnam.
3. The Registrar, Debts Recovery Appellate Tribunal at Chennai.
4. Two CD copies.